

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

TECH-NI-FOLD LTD.,

Plaintiff,

v.

Case No.: 3:14-cv-50065

F.P. ROSBACK COMPANY,

Defendant.

STIPULATION FOR VOLUNTARY DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties to the above-captioned action, through their undersigned counsel, hereby stipulate to the voluntary dismissal of this action without prejudice, subject to the following conditions:

1. If Plaintiff Tech-ni-Fold Ltd. ("Tech-ni-Fold") does not re-file a new action asserting infringement by F.P. Rosback Company ("Rosback") of the '519 Patent within 90 days of dismissal of this action, the dismissal of this action shall become with prejudice and Rosback shall have leave to seek its fees under Rule 54(d)(2) pursuant to Rule 11 of the Federal Rules of Civil Procedure, 35 U.S.C. § 285, 18 U.S.C. § 1927, and/or any other applicable rule or statute, and its costs as a prevailing party under Rule 54(d)(1), and Tech-ni-Fold shall retain all rights to oppose any such requests; and

2. If Tech-ni-Fold re-files a new action asserting infringement by Rosback of the '519 Patent within 90 days of dismissal, Rosback shall have leave to seek recovery of any excess fees incurred as a result of this action's dismissal, the costs of this action pursuant to Rule 41(d), and Tech-ni-Fold shall retain all rights to oppose any such requests; and Tech-ni-Fold shall

within 2 days of re-filing, respond substantively to the May 6, 2014 email of counsel for Defendant F.P. Rosback Company regarding Tech-ni-Fold's initial disclosures.

Dated: May 28, 2014.

s/ David G. Hanson
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